

REMARKS

With this Amendment, claims 1-3 and 9 are canceled. Claims 4, 7-8, and 11 are pending in the present application. Reconsideration of claims 4, 7-8, and 11 is respectfully requested.

Claim Rejections – 35 USC §§ 102 & 103

Claims 1-4 and 7-8 were rejected under 35 U.S.C. § 102(b) as being anticipated over U.S. Publication Application No. 2001/0034569 to Yamamoto et al. Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication Application No. 2001/0034569 to Yamamoto et al. in view of U.S. Patent No. 6,301,674 to Saito et al. These rejections concerning claim 1-3 and 9, are rendered moot with the cancellation of claims 1-3 and 9.

Applicant respectfully traverses the remaining rejections to claims 4 and 7-8, since none of the cited prior art references, analyzed individually or in combination disclose, teach or suggest all of the features recited in the rejected claims.

For example, Yamamoto discusses a plurality of signals, A1-An transferred between the power control apparatus 30 and the electric products 40-1 to 40-n are classified into only two types, i.e., the type of permitting electric power supply (1: high level) and the type of not permitting electric power supply (0: low level). Yamamoto is silent concerning a plurality or several types of notifications to allow, that is permit an electric supply, such as Applicant's claimed invention. Specifically, and thus shown in claim 4 as amended, which recites sending a third message to the electronic apparatus when the power consumption amount upon operating the electronic apparatus in the operation mode after switching exceeds an electric power that is supplied from both the fuel cell and the secondary battery. That is to say, that a third message type, relating to when the consumption demands exceed the power supply from both the fuel cell and a secondary battery source is produced for notification purposes.

As far as Yamamoto is understood, Yamamoto merely describes a control apparatus where the power request signal may indicate the number of watts of power necessary to put the electric product, for example, 40-1, into a useable state. As such, the power request signal merely indicates a "request for use" when the power request is greater than zero, or a "request for non-use" when, the power is equal to zero. See, for example, Yamamoto, paragraph 0054.

With regards to Saito, a power consumption system is employed whereby the system determines if the total consumption demands of a plurality of devices may be satisfied by the power production of the system. See, for example, Saito Abstract.

For at least these reasons, Applicants submits that non of the asserted references, whether taken alone or in reasonable combination, at least disclosed, teach or suggest that claimed combination of elements recited by at least amendment claim 4. As such, claim 4 is clearly patentable. Because claims 7-8 and 11 depend from claim 4, claims 7-8 and 11 are at least patentable by virtue of dependency as well as their additional recitations. Accordingly, the immediate withdrawal of the prior art rejections of claims 4, 7-8, and 11 is respectfully requested.

II. Conclusion.

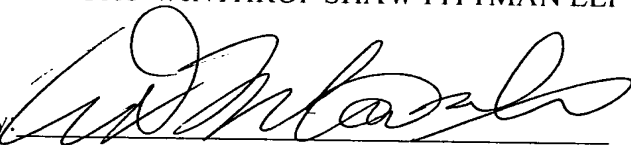
All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below..

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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